

PATENT APPLICATION


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:)
Korczak et al.)
Serial No.: 10/046,414)
Conf. No. 2098)
Filed: November 9, 2001)
For: ANCHOR RAIL ADAPTER AND)
HANGER AND METHOD)
Examiner: M. Steven)
Art Unit: 3632)

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service as First-Class Mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, Virginia 22313, on this date.

03-11-04
Date


Eric D. Cohen
Reg. No. 38,110

TERMINAL DISCLAIMER UNDER 37 C.F.R. 1.321(b)

Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313

Sir or Madam:

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In response to an Office Action dated November 19, 2003, applicants, through their attorneys, submit the subject Terminal Disclaimer Under 37 C.F.R. §1.321(b). Applicants note the Examiner's statement that a timely filed terminal disclaimer may overcome an actual or provisional rejection based on a non-statutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. Applicants' attorney submits on behalf of applicants, Korczak et al. and assignee, Andrew Corporation, a terminal disclaimer showing common ownership of the subject patent application and issued Patent No. 6,354,543.

On behalf of applicants and assignee, applicants' attorney represents that assignee owns the entire right, title and interest in the subject matter disclosed in the above-identified patent

application. Applicants' attorney also represents that assignee owns the entire right, title and interest in the subject matter disclosed in U.S. Patent No. 6,354,543.

Applicants and assignee hereby disclaim the terminal part of any patent granted on the above-identified patent application which would extend beyond the expiration date of any patent granted on commonly owned patent application Serial No. 09/430,496 filed on October 29, 1999 and issued as Patent No. 6,354,543.

Applicants and assignee acknowledges that any patent granted on the subject application shall be enforceable only for and during such period that said patent application is commonly owned with any patents granted on commonly-owned patent application Serial No. 09/430,496 filed on October 29, 1999 and issued as Patent No. 6,354,543.

Applicants and assignee do not disclaim any terminal part of any patent granted on the above-identified patent application prior to the expiration date of the full statutory term of any patent granted on Serial No. 09/430,496 filed on October 29, 1999 and issued as Patent No. 6,354,543 in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321(a), has all claims cancelled by reexamination certificate, or is otherwise terminated prior to expiration of its statutory term except for the separation of legal title stated above.

Applicants and assignee acknowledge that any patent granted on patent application serial No. 10/046,414 or any patent subject to the reexamination proceeding shall be enforceable only for and during such period that said patent is commonly owned with the patent application serial no. 09/430,496 filed on October 29, 1999 and issued as Patent No. 6,354,543, which formed the basis for the rejection.

A check in the amount of \$110.00 as the disclaimer fee pursuant to 37 C.F.R. §1.20(d) is enclosed.

The Commissioner is hereby authorized to charge any deficiency in the required fee or to credit any overpayment to Deposit Account No. 23-0920. A duplicate copy of this document is enclosed.

Respectfully submitted,

WELSH & KATZ, LTD.

By



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